IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

F.A.O. No.1674 of 2006
Date of Decision: 19.10.2006

Amrik Singh.

..... Appellant

Versus

Balkar Singh and others.

..... Respondents

CORAM: Hon'ble Mr.Justice Uma Nath Singh
Hon'ble Mr.Justice Mahesh Grover

....

Present: Shri Rajiv Verma, Advocate for the appellant.

....

Mahesh Grover,J.

Feeling dis-satisfied with award dated 7.11.2005 of Motor Accident Claims Tribunal, Patiala (hereinafter described as `the Tribunal') passed in M.A.C.T. Case No.33 of 17.3.2004, one of the claimants has preferred the present appeal and has prayed that the amount of compensation may be suitably enhanced.

The appellant along with proforma respondent nos. 4 to 7 filed a petition claiming compensation on account of death of Hakam Singh, who, on 8.2.2004, lost his life in a motor vehicular accident at the age of 70 years.

The Tribunal partly allowed the claim petition and awarded a sum of Rs.75,000/- to the appellant, who is son of the deceased and is a major.

We have heard the learned counsel for the appellant and have perused the impugned award.

There is nothing on the record to show that the appellant was dependent on the deceased, who was himself advanced in age and was not expected to be an earning hand. In this view of the matter, the amount of Rs.75,000/- awarded by the Tribunal cannot be termed to be inadequate. Besides, the claim qua grand-sons was declined by the Tribunal, which apparently is justified as they were not shown to be dependents upon the deceased.

Resultantly, the appeal is dismissed in limine.

(Uma Nath Singh)
Judge

(Mahesh Grover)
Judge

October 19,2006
"SCM"